

17-21, 31, and 32 were rejected under 35 U.S.C. §102(b) as being clearly anticipated by any one of U.S. Patent No. 5,263,063 to Sappey (Sappey I), U.S. Patent No. 5,263,063 to Sappey (Sappey II), or FR2388-377.

First, Applicants wish to thank Examiner Behrend for the August 30, 2001, personal interview at which time the outstanding issues in this case were discussed. During the interview, amendments and arguments substantially as included in this response were discussed. While no agreement was reached, Examiner Behrend indicated that he would give careful consideration to the amendments and arguments when formally filed.

In response to the rejection under 35 U.S.C. §112, second paragraph, Claims 17 and 32 have been amended to correct the noted and discovered informalities and, therefore, no further rejection under 35 U.S.C. §112, second paragraph is anticipated. If, however, the Examiner disagrees, the Examiner is invited to telephone the undersigned who will be happy to work with the Examiner in an effort to derive mutually satisfactory claim language.

Turning now to the merits, Applicants' first note that submitted herewith is a certified translation of French Patent Application Number 98 00100 filed on January 5, 1998. Thus, Applicants have now perfected priority in this case. As Yoshizawa I and Yoshizawa II have filing dates after January 5, 1998, these references are not prior art with respect to the present application.

With regard to the other references cited in the outstanding Official Action, in order to expedite issuance of a patent in this case, Applicants have amended Claims 17 and 32 to more clearly define the patentable features of the present invention over the cited references. Specifically, Claims 17 and 32 each recite a transport device for housing a long length nuclear fuel assembly. The device includes a compartment having substantially the same length as the fuel assembly, the compartment having fixed walls extending in a longitudinal

direction and defining an interior space of the compartment, and an opening at a distal end of the compartment. The device further includes a fixed structure rigidly attached to one of the fixed walls of the compartment and having at least one fixed guide element extending in a transverse direction transverse to the longitudinal direction of the compartment, and a mobile structure that can be moved in the transverse direction to apply pressure on the fuel assembly. The mobile structure has at least one transverse mobile guide element slidably engaging with the fixed guide element on the fixed structure. Also recited is an adjustable clamping device having at least one adjustable clamping element configured to move the mobile structure in the transverse direction thereby clamping the mobile structure on the fuel assembly using an adjustment device, and a control device located at a distal end of the container in the longitudinal direction and configured to act on the clamping element to clamp the fuel assembly in a fixed position within the compartment.

In contrast, the references to Sappey I and Sappey II each disclose a fuel container having a hinged door that extends along the longitudinal direction of the fuel assembly contained therein. In the interior of the container are a plurality of clamping devices individually activated to fix the fuel assembly in the interior of the container. Thus, Sappey I and Sappey II do not disclose a compartment having *fixed* walls extending in a longitudinal direction and defining an interior space of the compartment, and an opening at a distal end of the compartment in the longitudinal direction as now claimed in Claims 17 and 32. Moreover, these references do not disclose a control device located at the distal end of the compartment in the longitudinal direction and configured to act on a clamping element to clamp the fuel assembly in a fixed position within the compartment. As described in Applicants' specification and discussed in the August 30, 2001 interview, this feature is needed to clamp the fuel device within the compartment at the open end of the compartment.

Sappey I and Sappey II have no need for such a control device because the hinged door of these references allows access to the fuel assembly along its entire length. Therefore, Claims 17 and 32, as amended, patentably define over the cited references to Sappey I and Sappey II.

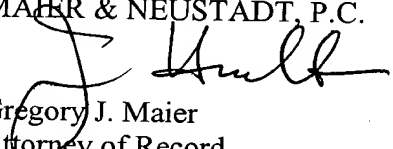
As to the FR2388-377 reference, this reference discloses a lateral support device for a storage rack that holds exhausted nuclear fuel submerged in coolant. As seen in Figure 1 of this reference, the lateral support is a jack type device that expands in the space between an interior wall and the storage rack. Applicants first note that the concrete container 14 for storing the rack is not substantially the same length as the nuclear fuel assemblies as claimed in Claims 17 and 32. More importantly, however, FR2388-377 does not disclose a fixed structure having at least one fixed guide element extending in a transverse direction transverse to the longitudinal direction of the compartment, or a mobile structure comprising at least one transverse mobile guide element slidably engaging the fixed guide element on the fixed structure. This guide feature is particularly important in the context of transporting fuel assemblies because it ensures that the clamping device will not move in the longitudinal direction with respect to the fixed structure during transport of the fuel. FR2388-377 does not disclose this feature and does not need such a feature because the container of this reference is not mobile. Thus, Claims 1 and 32 patentably define over FR2388-377.

Therefore, Claims 1 and 32 patentably define over the cited references for the reasons detailed above. Moreover, as Claims 18-26 depend from Claim 17, these Claims also patentably define over the cited references.

Consequently, in view of the present amendment, no further issues are believed to be outstanding in the present application and the present application is believed to be in condition for allowance. An early and favorable action is therefore respectfully requested.

Respectfully submitted,

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IN THE CLAIMS

Please amend Claims 17 and 32 as follows:

17. A transport device for housing a [Device for transverse immobilization of] long length nuclear fuel [assemblies] assembly [housed in compartments of the same length with several walls], said device comprising:

a compartment having substantially the same length as the fuel assembly, said compartment having fixed walls extending in a longitudinal direction and defining an interior space of the compartment, and an opening at a distal end of the compartment in said longitudinal direction;

a fixed structure rigidly attached to one of said fixed walls of the compartment, [located on one of its surfaces] and comprising at least one fixed guide element extending in a transverse direction transverse to the longitudinal direction of the [assembly,] compartment;

a mobile structure that can be moved in the transverse direction [, capable of applying] to apply pressure on the fuel assembly [and], the mobile structure comprising at least one transverse mobile guide element [working in cooperation with] slidably engaging the fixed guide element on the fixed structure,

an adjustable clamping [means] device comprising:

at least one adjustable clamping element [capable of] configured to move the mobile structure in said transverse direction thereby clamping [or unclamping] the mobile structure on the fuel assembly using an adjustment device, and

a control device located at said distal end of said compartment in the longitudinal direction [that can be manipulated from the accessible end of the fuel assembly, said control device acting] and configured to act on the clamping element [or its adjustment device] to clamp [fix] the fuel assembly in a fixed position within the compartment [by reaction on the fixed structure or to release it].

32. Container for the transport of nuclear fuel assemblies, comprising:

a plurality of transport devices each [compartments forming a] housing [for] a long length nuclear fuel [assemblies,] assembly [equipped with at least one immobilization device for transverse immobilization of long nuclear fuel assemblies housed in compartments of the same length with several walls], each transport [said] device comprising:

a compartment having substantially the same length as the fuel assembly, said compartment having fixed walls extending in a longitudinal direction and defining an interior space of the compartment, and an opening at a distal end of the compartment in said longitudinal direction;

a fixed structure rigidly attached to one of said fixed walls of the compartment, [located on one of its surfaces] and comprising at least one fixed guide element extending in a transverse direction transverse to the longitudinal direction of the [assembly,] compartment;

a mobile structure that can be moved in the transverse direction [, capable of applying] to apply pressure on the fuel assembly [and], the mobile structure comprising at least one transverse mobile guide element [working in cooperation with] slidably engaging the fixed guide element on the fixed structure,

an adjustable clamping [means] device comprising:

at least one adjustable clamping element [capable of] configured to move the mobile structure in said transverse direction thereby clamping [or unclamping] the mobile structure on the fuel assembly using an adjustment device, and

a control device located at said distal end of said compartment in the longitudinal direction [that can be manipulated from the accessible end of the fuel assembly, said control device acting] and configured to act on the clamping element [or its adjustment device] to clamp [fix] the fuel assembly in a fixed position within the compartment [by reaction on the fixed structure or to release it].